



OXFORD VILLAGE COUNCIL REGULAR MEETING MINUTES

Village Council Members: David Bailey, Maureen Helmuth, Joe Frost, Allison Kemp, Kate Logan

**22 West Burdick Street
Oxford, MI 48371**

June 11, 2019

6:30 pm

- 1.) **CALL TO ORDER:** President Joe Frost called the meeting to order at 6:30 p.m.
 - 2.) **PLEDGE OF ALLEGIANCE:** With Moment of Silence.
 - 3.) **ROLL CALL** Attendance Members Present 5: Bailey, Frost, Helmuth, Logan, Kemp. Absent: 0. Staff Present: *Village Manager Joseph Madore, Clerk/Treasurer/Recording Secretary Tere Onica, Police Chief Mike Solwold, DPW Supervisor Don Brantley.*
 - 4.) **APPROVAL OF AGENDA:** June 11, 2019.
MOTION: by Bailey/Helmuth to amend the agenda to adjust Item (7) to enter Closed Session upon arrival of the insurance attorney. All in favor. Motion carried.
 - 5.) **PRESENTATION: Main Street Oakland County 2018 Main Street Accreditation:** John Bry, Principal Planner for Oakland County Main Street Planning Team certified and recognized the Village of Oxford DDA as a 2019 Main Street America accredited program for meeting the standards of performance in 2018. Mr. Bry noted the award based on 10-point criteria for producing a vibrant and healthy downtown area. Congratulations and recognition were offered on behalf of L. Brooks Patterson.
 - 6.) **PUBLIC COMMENTS:**
Justin Dunaskiss local business owner from DCD Consulting offered professional services to assist in developing policy on Recreational Marihuana, provide resources, data analysis and topics for discussion.
 - At 6:43 p.m. Legal Counsel for arrived.
 - 7.) **CLOSED SESSION:**
MOTION: by Helmuth/Kemp to enter closed session per MCL 15.268 to discuss pending litigation at 6:43 P.M.
Roll Call Vote: Ayes: 5, Bailey, Kemp, Helmuth, Logan, Frost. Nays: 0 Absent: 0. Motion carried.

MOTION: by Helmuth/Logan to return to open session at 7:12 p.m. All in favor. Motion carried.

MOTION: by Helmuth/Kemp to follow the strategy discussed in closed session with the attorney and schedule a Special Meeting for any future action if necessary.
Roll Call Vote: Ayes: 5. Bailey, Kemp, Helmuth, Logan, Frost. Nays: 0. Absent: 0. Motion carried.
 - 8.) **CONSENT AGENDA:**
MOTION: by Helmuth/Frost to approve Consent Agenda Item 9(a) as presented.

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46 All in favor. Motion carried.

47 **MOTION:** by Logan/Helmuth to approve minutes, budget report, budget amendments and bills
48 in the amount of \$165,377.05.

49 **Roll Call Vote:** Ayes: 5. Kemp, Helmuth, Logan, Frost, Bailey. Nays: 0. Absent: 0. Motion
50 carried.

51

52 **9.) UNFINISHED BUSINESS:**

53 a. **Oxford Township Sewer Construction Agreement:**

54 **MOTION:** by Frost/Bailey to approve the agreement with the Charter Township of Oxford
55 granting permission to extend a township sanitary sewer line in the M-24 Right-of-Way
56 subject to final review and approval by the village attorney with reference made to page (2),
57 Section (8) *Consent to Joint Counsel*.

58 **Roll Call Vote:** Ayes: 5. Helmuth, Logan, Frost, Bailey, Kemp. Nays: 0. Absent: 0. Motion
59 carried.

60 .
61 b. **Farmer's Market:** Village Council recommended sending the idea for a Farmer's Market
62 to the DDA and Promotions Committee. Oxford Township Parks and Recreation is in
63 preliminary discussions already. A complaint regarding the fairness/impact of a Farmer's
64 Market to local businesses paying for bricks and mortar was noted.

65 **MOTION:** by Logan/Bailey to refer the Farmer's Market request to the DDA for analysis,
66 style and structure. All in favor. Motion carried.

67 c. **Dayton Street Traffic Enforcement Update:** There was discussion on traffic violations
68 and motor vehicle codes regarding fines, points and enforcement. Attorney Davis referenced
69 Opinion Memo dated June 4, 2019 regarding the Michigan Secretary of State Offense Code
70 index as Exhibit One (1) . Current codes are enforced by the Police Chief and Police
71 Department. There may be opportunity to assign cost to MDOT and/or Oxford Fire
72 Department for additional signage with maximum fines and points posted.

73 Public Comments: Larry Staley, 88 Dayton Street-recommended a remote-control gate.
74 Sue Bossardet suggested council use the remaining 6-7 months to investigate options.

75 **MOTION:** by Frost/Bailey directing Chief Solwold, Manager Madore, Chief Scholz to
76 develop a plan, considering gate and enforcement options and address concerns prior to
77 Dayton Street being opened. All in favor. Motion carried.

78 d. **Village Logo Update:** The village has been using a new logo that was never officially
79 adopted. The request is not to change the logo in use, just approve it for use.

80 Public Comments: Rose Bejma, Pearl Street pointed out that the village already had a flag
81 and logo. Why not use them?

82 Other communities have Logo Contests. Logos get retired and evolve over time.

83 **MOTION:** by Logan/Kemp to adopt the logo as submitted for use by the Village of Oxford.
84 Motion carried with four members voting Aye and one dissenting vote by Bailey.

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92 e. **Consideration to Open a New Depository:**

93 **MOTION:** by Frost/Bailey to approve opening a new depository with Independent Bank
94 with specified account signers.

95 **Roll Call Vote:** Ayes: 5. Logan, Frost, Bailey, Kemp, Helmuth. Nays: 0. Absent: 0. Motion
96 unanimously carried.
97

98 f. **Chicken Ordinance:** Chickens were cited in past as cause of rat problem due to manure
99 and feed management. The Village Manager referred to the Department of Agriculture
100 Regulations. The existing ordinance does not allow Roosters. Can run a pilot program with
101 limited permits issued based on first come, first serve. Can require attendance to an animal
102 care program such as one offered by MSU Extension.

103 **MOTION:** by Helmuth/Kemp to set aside to the next council meeting. All in favor. Motion
104 carried.
105

106 g. **ZBA Appointment:** Dave Gerber and Tonya Hauser both submitted applications to serve
107 on the ZBA. There are three vacancies. One full member appointment and (2) alternate
108 members (3-year terms).

109 **MOTION:** by Frost/Bailey to appoint Dave Gerber as a full member to a three (3) year
110 term, amended by Frost/Bailey for Mr. Gerber filling the vacancy created by Marilyn
111 Benner's resignation and complete the term. And, to appoint Tonya Hauser as an alternate
112 member to a three (3) year term. All in favor. Motion unanimously carried.
113

114 h. **Recreational Marihuana:** The Planning Commission unanimously recommended the
115 Village Council adopt an ordinance to Prohibit Recreational Marihuana Establishments.
116 Ordinance 19-01 was previously prepared and strongly recommended by village legal
117 counsel and Council for MML, to protect the village from costly litigation until a zoning
118 ordinance and regulations governing time, manner and location could be written and
119 adopted in adherence with good planning and zoning practices. A sunset clause was
120 suggested to eliminate fear of inaction. Disagreement was lodged with the wording of the
121 sunset clause.

122 **MOTION:** by Frost/Helmuth to set the Public Hearing for the First Reading of the
123 Recreational Marihuana ordinance for July 9, 2019.

124 **Roll Call Vote:** Ayes: 2. Frost, Bailey. Nays: 3. Kemp, Helmuth, Logan. Absent: 0. Motion
125 failed due to lack of support.
126

127 **MOTION:** by Helmuth/Bailey called for a 5-minute recess at 8:28 p.m. All in favor.
128 Motion carried.
129

130 Upon return from recess there was a motion to reconsideration on Agenda Item (h).

131 **MOTION:** by Helmuth/Kemp to adopt the Ordinance to opt-out of recreational marihuana
132 amending the sunset clause to expire June 30, 2020, and to set the Public Hearing for a First
133 Reading on the Ordinance to Prohibit for the July 9, 2019 regular meeting to be held at 6:30
134 p.m. or shortly thereafter.

135 **Roll Call Vote:** Ayes: 4. Helmuth, Frost, Bailey, Kemp. Nays: 1, Logan. Absent:0. Motion
136 carried.
137

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138

139 **10. NEW BUSINESS:**

140

- a. **Consider Purchase of MXU Water Meters:** The DPW is requesting to purchase 197 MXU water meter transceiver units for the water meter reading system to allow meters to be remotely read with a handheld unit. This will be the final purchase of MXU readers for the Village. The quantity pricing of \$150.00 per unit for a total cost of \$29,550.00. The Water Capital Improvement Budget (GL # 591-556-970.000) is \$34,000.00 and will cover the purchase of the meters. Units will be ordered upon approval and paid in the July 1, 2019 Fiscal Year budget.

141

MOTION: by Frost/Helmuth to approve the purchase of 197 MXU water meter readers for a total cost of \$29,550.00.

142

Roll Call Vote: Ayes: 5. Helmuth, Frost, Bailey, Kemp, Logan. Nays: 0. Absent: 0. Motion carried.

143

- b. **Tree Removal Proposal:** The DPW received bids for removal of Village easement trees. The total cost for removal of 9-trees using the lowest bidders is \$7,100.00 to be paid as follows: Major Surface- \$3,050.00, Local Surface- \$2,500.00, Water – 1,550.00.

144

MOTION: by Helmuth/Bailey to approve the removal of easement trees as presented, not to exceed \$7,100.00.

145

Roll Call Vote: Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0. Motion carried.

146

- c. **Stop Sign Installation:** Division and East, Dennison & Pontiac: Recommended by Police Chief Solwold.

147

MOTION: by Helmuth/Bailey to approve a stop sign at Division and East St.

148

Roll Call Vote: Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.

149

MOTION: by Frost/Bailey to approve a stop sign at Pontiac & Dennison and East St.

150

Roll Call Vote: Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.

151

- d. **Resolution 2019-12 A Resolution Celebrating the 100th Anniversary of the Ratification of the 19th Amendment of the U.S. Constitution, Giving Women the Right to Vote:**

152

MOTION: by Helmuth/Kemp to join the Oakland County Commissioner campaign to raise awareness and celebrate this historic milestone and fly the Suffragette Victory Flag at a special ceremony in Centennial Park on Thursday June 20th at 6:30 p.m.

153

Roll Call Vote: Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.

154

- e. **Oakland County Local Road Improvement Program Agreement-West Burdick Street:**

155

The Village Manager presented a letter from the Oakland County Board of Commissioners dated May 23, 2019 with a Cost Participation Agreement for the Pilot Local Road Improvement Program to resurface West Burdick Street. Estimated project cost was \$178,623.00 for a 2" mill and resurface from M-24 (Washington St.) west to approximately West St. near the west boundary of the Village limits.

156

MOTION: by Helmuth/Frost authorizing the Village Manager to sign the Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement on behalf of the Village of Oxford to receive matching funds in the amount of \$26,689 by the Oakland County Board of Commissioners Project No. 2019-16, for the resurfacing of West Burdick Street.

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184 **Roll Call Vote:** Ayes: 5. Bailey, Kemp, Logan, Helmuth, Frost. Nays: 0. Absent: 0.
185 Motion carried.

186
187 **11.) ITEMS REMOVED FROM CONSENT AGENDA** (Item 8): None

188
189 **12.) PUBLIC COMMENT:**

190 Sue Bossardet- Thanking council for the tree replacement.
191 Tanya Hauser, 34 Lafayette commented on re-paving, stop sign @ Pontiac and Dennison,
192 the proposed chicken ordinance and speed bumps on Dayton St.

193
194 **13.) MANAGER, STAFF, & ATTORNEY REPORTS:**

195 Ordinance and Charter Amendments have been submitted to Municode as well as 2019
196 Minutes.

197
198 **14.) COUNCIL COMMENTS**

199 Upcoming webinar on Recreational Marihuana
200 Cable Grand Opening
201 Child Care for Meetings. Council member Logan will provide more information at next
202 meeting.

203
204 **15.) ADJOURNMENT:** With no further business to discuss meeting adjourned at 9:13 p.m.

205 **MOTION:** by Helmuth/Frost to adjourn. All in favor. Motion Carried.

206
207
208
209 Respectfully Submitted,
210 Teresa L. Onica, Recording Secretary

President, Joe Frost